

RESOLUTION NO. R-16-95-

A **RESOLUTION** approving the City of Fort Wayne Police Department Home Fleet Vehicle Plan.

WHEREAS, the City of Fort Wayne Police Department desires to implement a Home Fleet Vehicle Plan; and

WHEREAS, the Home Fleet Vehicle Plan will effectuate the reduction of crime and impact citizen fear of crime in the City of Fort Wayne.

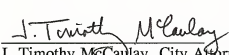
NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. The Fort Wayne Police Department Home Fleet Vehicle Plan, attached hereto as Exhibit "A" and made a part hereof, is hereby approved.

SECTION 2. This Resolution shall be in full force and effect from and after its passage and any and all necessary approval by the Mayor.


Council Member

APPROVED AS TO FORM
AND LEGALITY


J. Timothy McCauley, City Attorney

Read the first time in full and on motion by _____,
seconded by _____, and duly adopted, read the second time by
title and referred to the Committee on _____ (and the
City Plan Commission for recommendation) and Public Hearing to be held after
due legal notice, at the Common Council Conference Room 128, City-County
Building, Fort Wayne, Indiana, on _____, the _____, day
of _____, 19____, at _____ o'clock _____ M., E.S.T.

DATED: _____

SANDRA E. KENNEDY, CITY CLERK

Read the third time in full and on motion by Donny,
seconded by _____, and duly adopted, placed on its passage.
PASSED POST by the following vote:

	AYES	NAYS	ABSTAINED	ABSENT
TOTAL VOTES	8	0		1
BRADBURY	✓			
EDMONDS				✓
GIAQUINTA	✓			
HENRY	✓			
LONG	✓			
LUNSEY	✓			
RAVINE	✓			
SCHMIDT	✓			
TALARICO	✓			

DATED: 3-28-95.

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne,
Indiana, as (ANNEXATION) _____ (APPROPRIATION) _____ (GENERAL)
(SPECIAL) _____ (ZONING) _____ ORDINANCE _____ RESOLUTION NO. B-16-95.
on the 28th day of March, 1995,

ATTEST:

(SEAL)

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Don J. Schmitter
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on
the 29th day of March, 1995,
at the hour of 11:45 o'clock A. M., E.S.T.

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this 30th day of March,
1995, at the hour of 5:00 o'clock P. M., E.S.T.

PAUL HELMKE
PAUL HELMKE, MAYOR

BILL NO. R-95-03-19

As Amended
(As Amended)
(As Amended)

REPORT OF THE COMMITTEE ON
FINANCE
THOMAS C. HENRY - CHAIR
MARK E. GIRAQUINTA - VICE CHAIR
ALL COUNCIL MEMBERS

WE, YOUR COMMITTEE ON FINANCE TO WHOM WAS

REFERRED AN (~~ORDINANCE~~) (RESOLUTION) approving the City of Fort
Wayne Police Department Home Fleet Vehicle Plan

HAVE HAD SAID (~~ORDINANCE~~) (RESOLUTION) UNDER CONSIDERATION
AND BEG LEAVE TO REPORT BACK TO THE COMMON COUNCIL THAT SAID
(~~ORDINANCE~~)X (RESOLUTION)

DO PASS

DO NOT PASS

ABSTAIN

NO REC

[Signature]
[Signature]
[Signature]
[Signature]
[Signature]

Mark E. Giraquinta

Sandra E. Kennedy

Clarence G. Gierke

Clarence R. Edmonds

DATED: 2-28-95.

Sandra E. Kennedy
City Clerk

FORT WAYNE POLICE DEPARTMENT

HOME FLEET VEHICLE PLAN

Neil Moore
Chief of Police
September 1, 1994

(Revised March 22, 1995)

I. PURPOSE

To promote the philosophy of community policing, to effect the reduction of crime and to impact citizen fear of crime in the City of Fort Wayne, a program for sworn members of the Fort Wayne Police Department is hereby initiated that allows certain officers the use of home fleet vehicles for on-duty and off-duty use. The use of the Fort Wayne Police Department's home fleet vehicle while off duty is a privilege and not an automatic fringe benefit or right of employment. This privilege is subject to revocation at any time. Continued use of a home fleet vehicle shall be contingent upon safe driving habits, proper performance of duty, and adherence to rules and regulations.

II. POLICY

The operation and maintenance of Home Fleet Vehicles will be governed by the purpose described above and by the need to ensure high standards of performance, vehicle reliability and uniformity with an emphasis on a minimum vehicle maintenance cost.

A. Definitions

Assigned Vehicle - A vehicle assigned to a police officer on a permanent basis whereby the officer is allowed the use of the vehicle while off-duty and is personally responsible for its continued operation and maintenance.

Vehicle - Is any motor vehicle of the Fort Wayne Police Department and may include automobiles, motorcycles, trucks, four-wheel drive vehicles.

B. Vehicle Assignment Criteria

1. Generally, Home Fleet Vehicles will be assigned to qualified officers by seniority per shift. A minimum of two (2) years' service is required for eligibility for Home Fleet Vehicles assignment for all but special instances.

2. Assignment of Home Fleet Vehicles will be governed initially as follows:

- Uniformed Officers/Marked Units: Residency within the City limits of Fort Wayne or approved annexation areas. One marked unit per household until this policy is at full implementation.

- Command Staff/Plain Clothes/Unmarked Units: Residency within Allen County. Command Staff shall have marked units with exceptions of Deputy Chief of Investigative Division and Deputy Chief of Vice & Narcotics.

- Nothing within this policy shall restrict the current use of vehicles, marked and unmarked, that are presently assigned within the agency except the command staff who shall be assigned marked cars.
- Appointment to units that provide "call-out" services and that require an assigned vehicle may still be authorized by the Chief of Police.
- In the event of some special programs that promote community policing with greater intensity or enhanced visibility, the Chief of Police may assign Home Fleet Vehicles outside of the general seniority guidelines. This assignment would be for use in targeted areas.
- All officers accepting a home fleet vehicle will be required to sign an affidavit describing their residency for the purpose of acknowledging where the Home Fleet Vehicle will be located.

C. Optional Equipment, Vehicle Maintenance

1. An officer may install additional equipment on his/her vehicle. The equipment must meet OSHA standards and must not interfere with the operation of the air bag system, seat belts or other safety equipment provided. All equipment additions or modifications will be requested in writing and approved by the Deputy Chief of the Administrative Division, or designee, prior to installing the equipment in the vehicle. The following guidelines will apply:

Equipment Permitted

- (a) Rear deck lights
- (b) Grille lights
- (c) Dash lights
- (d) CB radios
- (e) Cellular phones
- (f) Rechargeable flashlights

Equipment not Permitted

- (a) Pop-in strobe lights - no holes
- (b) Boom boxes (extra speakers)
- (c) Radio equalizers (factory radios ONLY)
- (d) Arrow stixs
- (e) Replacing light bars (personal)
- (f) Window tinting
- (g) No drilling holes for antenna. Must be magnet, clip-on or glass mount.

2. Vehicles must be maintained every 3000 miles, ~~and preventive maintenance may be completed during on-duty time (provided the garage is open).~~ Washing and fueling of vehicles may also be completed during on-duty time.
3. Officers leaving town for an extended period of time shall either secure the take-home vehicle at their residence or at the Department. The keys should be provided to his/her supervisor.
4. Replacement vehicles will be available for use when necessary, unless the reason the officer's assigned vehicle is unavailable is due to abuse of the vehicle by the officer.
5. Each car will be equipped with a spare tire and jack. When off-duty, the officer will be responsible for changing the tires when needed.
6. Once a take-home vehicle is offered to an officer and the officer declines, either immediately or after a period of time, re-issue will be subject to the Department's discretion and vehicle availability.

D. Operational Guidelines, Officer and Passenger Appearance

1. Only authorized FWPD personnel are permitted to operate the police vehicle.
2. During off-duty use of the home fleet vehicle, the radio will be turned on and kept on the appropriate police channel. The officer will not be required to go in and out of service, but he/she must monitor the radio and advise the dispatcher if they are near an emergency call and whether or not they have passengers.
3. The safety of passengers rests solely with the officer operating the vehicle.
4. The off-duty officer is not restricted as to passengers in the assigned vehicle. However, when responding to an emergency, priority one call, any passengers other than sworn personnel must be removed from the vehicle and not exposed to the dangers involved in responding to and handling the call. If removing the passengers is not feasible, the call will not be taken by the officer.

5. All officers assigned a home fleet vehicle will be armed when operating the vehicle off-duty.
6. Officers operating a home fleet vehicle will respond with appropriate action in the following on-view situations: Crimes in progress, vehicular accidents, serious sick or injury accidents, flagrant traffic violations and other citizen requests for police service made to the officer.
7. In responding to calls involving a felony while off-duty, the officer may be required to handle the call start to finish in order to protect life and property and to preserve the chain and continuity of evidence.
8. In minor cases encountered while off-duty, the officer may summon an on-duty beat car to handle the call and stand by and assist until the beat car arrives. If immediate action is necessary, then the off-duty officer can handle the situation. Off-duty officer-initiated traffic stops, unless unusual or lengthy circumstances are involved, will be handled start to finish by the off-duty officer.
9. It is mandatory for officers whether on or off-duty and encountering a disabled motorist, to stop and render assistance or to assist the motorist in obtaining assistance. The same requirement applies to any citizen that hails or flags down an officer for help or information purposes.
- X 10. Off-duty officers assigned to home fleet vehicles and engaged in authorized police duties which are required by this policy or which are initiated by the officer will receive overtime compensation for the actual time involved in the officer's response beyond the first thirty (30) minutes of activity. Any off-duty officer anticipating the off-duty response to last more than thirty (30) minutes in duration will request the permission of an on-duty field supervisor for overtime assignment. A field supervisor authorizing the overtime will make every effort to secure the prompt response of an on-duty officer to conclude the incident.

Overtime will be granted under the existing overtime rules and procedures. Overtime will not be granted for police action when the officer and the home fleet vehicle are employed in a part-time status.

11. Officers may utilize home fleet vehicles while engaged in off-duty employment. Marked vehicles

may only be used inside the City limits or approved annexation areas, unless approved by the Chief of Police or his designee.

12. Home fleet vehicles may not be parked in locations and left unattended for hire or employment purposes; i.e., displaying the car for security purposes only.
13. Officers shall lock home fleet vehicles when unattended.
14. Officers shall obey all parking restrictions and traffic laws when utilizing home fleet vehicles unless it is necessary not to do so in the course of responding to an emergency call or while conducting an official investigation. All state statutes must be followed concerning the operation of emergency vehicles and the use of red and blue lights with siren.
15. When officers are on extended sick leave or vacation that is more than five (5) working days, the home fleet vehicle shall be parked at the Operations Division pool car location and the keys turned over to the appropriate shift commander.
16. All officers will respond promptly when notified that their home fleet vehicle is scheduled to be serviced or repaired.
17. Repairs or maintenance to home fleet vehicles which must be done on duty time will require the officer to check out a Division pool car temporarily.
18. Officers are required to submit their home fleet vehicles for monthly inspection. Supervisors will closely monitor the cleanliness of the vehicle inside and out, mechanical condition and will initial all entries into the vehicle mileage and maintenance log.
19. Officers assigned home fleet vehicles will maintain a weekly off-duty activity log sheet with a description of all police activities performed off-duty, arrests made, mileage accumulated and overtime earned. This activity sheet will be turned into the officer's appropriate supervisor who will tally and collate the information.
20. Officers' and passengers' appearance and conduct during off-duty use of home fleet vehicles:

- A. Officers shall be responsible for the proper conduct of all passengers at all times during off-duty use of home fleet vehicles.
 - B. Proper and suitable attire will be worn by officers and passengers at all times during off-duty hours.
 - C. Officers may wear shorts that are not cut-off and not above mid-thigh in length. Shirts shall cover shoulders and the upper portion of the body.
 - D. No hats or headgear will be worn except that authorized by the Department. A Department-authorized ball cap with properly identifying insignia will be carried in the home fleet vehicle at all times and will be worn when the officer is in civilian clothes and is conducting an off-duty stop or investigation utilizing the home fleet vehicle. This method, along with the officer's official badge and I.D. card will provide all necessary identification as a sworn member of the FWPD.
 - E. The following are examples of clothing not to be worn by passengers or officers while in the home fleet vehicle: Short shorts, bathing suits, any extremely revealing clothing. Children under the age of 12 should wear appropriate youth apparel. The officer and passengers should use caution when wearing slogans, patches or other items of clothing that may be construed as offensive.
- 21. Officers with home fleet vehicles must wear seat belts as well as passengers. If transporting small children, laws pertaining to child restraining and safety must be adhered to.
 - 22. Under no circumstances will an officer leave any weapon or weapons or portable radio in an unlocked home fleet vehicle. If a weapon or radio must be left in a locked and unattended home fleet vehicle, the items will be secured in the vehicle's trunk.
 - 23. No bumper stickers, signs or decals are to be placed on the home fleet vehicle without the written approval of the Chief of Police.
 - 24. Off-duty home fleet vehicles must be parked legally at the curb or in a driveway of the assigned officer's home. Vehicles will not be garaged.

26. Indiscriminate use of the police radio by non-sworn personnel will not be permitted. Use of the radio will conform to job functions and for reporting emergencies or requesting emergency services, accidents, break-downs, etc.
27. Officers assigned home fleet vehicles will operate the vehicle within Allen County. Out-of-county usage must be approved by the officer's Deputy Chief or in special enforcement situations, by the unit supervisor. Out-of-county use for training and schools must still be approved through the office of the Chief of Police.

E. FWPD Rules and Regulations References

The following are FWPD Rules & Regulations that pertain to vehicle use and off-duty involvement. Any conflict of the Rules & Regulations with Home Fleet Regulations will be brought to the attention of the Chief of Police.

1. 2-01.20 Television sets in squad cars
2. 2-02.09 Limits of patrol
3. 2-02.14 Off Duty I.D.
4. 2-02.19 Pushing by City-owned vehicle
5. 2-02.24 Off-Duty involvement (may be amended)
6. 2-02.36 Marked and unmarked squad cars leaving the City
7. 2-02.52 Appearance in uniform

III. DISCIPLINE

- A. The use of the take-home status will be weighed in matters of abuse to the vehicle by the officer or when the vehicle is involved in the matter for which the officer is being disciplined.
- B. If an officer is suspended, the vehicle will be secured at the Department and the keys provided to the duty supervisor.
- C. The take-home vehicles will be subject to regular inspections by the officer's supervisor. Officers' vehicles found to be unclean shall be given 24 hours to present the vehicle for re-inspection. Should the vehicle again be found in an unclean state, the officer

could be found in violation of the Rules & Regulations F-1-004 (Abuse of City Property).

- D. An officer found at fault in two or more automobile collisions in any one twelve month period may be considered for revocation of the privilege of off-duty use of a home fleet vehicle.

AFFIDAVIT RE: TAKE-HOME CARS (POLICE DEPARTMENT)

The undersigned states that:

1. The undersigned is a member of the Fort Wayne Police Department and has requested, or has been offered, a "take-home" police car.

2. The undersigned understands that, in order to qualify for the take-home car, the undersigned must park the car, when not in use, at an address located within the City of Fort Wayne or within one of the areas recently annexed by the City of Fort Wayne, which address is the principal place of residence of the undersigned.

3. The undersigned agrees that the address listed below is the undersigned's principal place of residence and is the location where the take-home car will be parked when not in use.

4. The undersigned agrees that the take-home car when used for personal matters will not be taken outside Allen County and that the take-home care, in such situations, will not be parked at any location other than the address below for a period of six (6) hours unless the location is the location of "off-duty" employment where the undersigned has been authorized by the Chief, or the Chief's designee, to use his take-home vehicle.

5. The undersigned understands that any false statements will initiate a petition contained in this affidavit ~~could result~~ in disciplinary action, including but not limited to, the revocation of the offer of the take-home vehicle.